

UNITED STATES DISTRICT COURT  
EASTERN DISTRICT OF MICHIGAN  
SOUTHERN DIVISION

CLARENCE HINES and KIMBERLY  
SIMPSON,

Plaintiffs,

Case No. 06-11263

v.

Honorable Patrick J. Duggan

THE CITY OF BRIGHTON, DANA  
FOSTER, and KIMBERLY CASTLE,

Defendants.

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**JUDGMENT**

At a session of said Court, held in the U.S.  
District Courthouse, Eastern District  
of Michigan, on February 5, 2007.

PRESENT: THE HONORABLE PATRICK J. DUGGAN  
U.S. DISTRICT COURT JUDGE

Clarence Hines and Kimberly Simpson (collectively “Plaintiffs”) filed this action against the City of Brighton, Dana Foster, City Manager, and Kimberly Castle, Community Development Director, (collectively “Defendants”) for alleged deprivations of their constitutional rights under 42 U.S.C. §§ 1981, 1983, and 1985, and a violation of Michigan common law. Plaintiffs’ complaint asserts the following counts: Count I (Denial of Equal Protection); Count II (Denial of Substantive Due Process); Count III (Denial of Procedural Due Process); Count IV (Conspiracy); Count V (Denial of Right to Enforce Contracts); and Count VI (Tortious Interference With Contractual Relations).

Presently before this Court is Defendants' Motion to Dismiss for Judgment on the Pleadings or, in the alternative, for Summary Judgment filed on August 30, 2006. Plaintiffs have not responded to Defendants' motion, and the time for response has expired. *See* E.D. Mich. L.R. 7.1(d)(1)(B).<sup>1</sup>

For the reasons set forth in an Opinion and Order issued this date,

**IT IS ORDERED, ADJUDGED, AND DECREED** that Plaintiffs' Complaint is **DISMISSED**.

s/PATRICK J. DUGGAN  
UNITED STATES DISTRICT JUDGE

Copies to:  
James C. Barnes, Jr., Esq.  
Joan M. Barnes, Esq.  
James E. Tamm, Esq.

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<sup>1</sup>On August 30, 2006, the Court's Deputy Clerk sent counsel for Plaintiffs and counsel for Defendants a notice "reminding" them that a response to a motion for summary judgment shall be filed within 21 days after service of the motion.

